

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Receipt
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Box SEQ



Applicants : O'Donnell et al.

Serial No. : 09/716,964

Conf. No. : 2211

Filed : November 21, 2000

For : ENZYMES DERIVED FROM THERMOPHILIC ORGANISMS THAT
FUNCTION AS A CHROMOSOMAL REPLICASE, PREPARATION AND
USE THEREOF

TRANSMITTAL LETTER

Commissioner For Patents

Washington, D.C. 20231

Box: Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(b), which was mailed by the United States Patent and Trademark Office on **May 29, 2001**, enclosed are:

- ☒ Three Combined Declaration and Power of Attorney forms.
- ☒ A Request for Five-Month Extension of Time.
- ☒ Applicants claim small entity status. (See 37 CFR 1.27.)
- ☒ A Request for Corrected Filing Receipt and Copy of Official Filing Receipt.
- ☒ Statement In Accordance With 37 C.F.R. § 1.821(g) and Sequence Listing (167 pages).
- ☒ A copy of the Notice to File Missing Parts.
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.
- ☒ Fees as calculated below:

FEE FOR FIVE-MONTH EXTENSION OF TIME \$980.00

SURCHARGE 37 CFR 1.16(e) \$65.00

TOTAL FEES SUBMITTED HERewith \$1,045.00

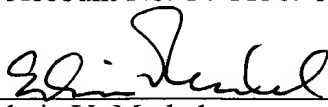
- ☒ A check in the amount of **\$1,045.00** to cover the above fees.

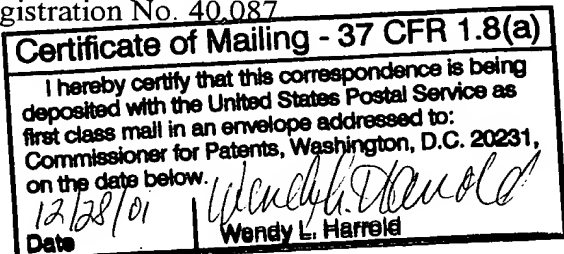
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Date: December 23, 2001

Nixon Peabody LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
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Facsimile: (716) 263-1600

R547209.1


Edwin V. Merkel
Registration No. 40,087



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	O'Donnell et al.)	Examiner:
Serial No.	:	09/716,964)	To Be Assigned
Cnfrm No.	:	2211)	Art Unit:
Filed	:	November 21, 2000)	1633
For	:	ENZYMES DERIVED FROM)	
		THERMOPHILIC ORGANISMS THAT)	
		FUNCTION AS A CHROMOSOMAL)	
		REPLICASE, PREPARATION AND USE)	
		THEREOF)	



REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Dear Sir:


Applicants hereby request a corrected filing receipt for the above-identified application. On the enclosed copy of the official filing receipt, the domestic priority data is incorrect. It should read "THIS APPLN IS A CIP OF 09/057,416 04/08/1998 WHICH CLAIMS BENEFIT OF 08/823,407 04/08/1997 AND WHICH CLAIMS BENEFIT OF 60/143,202 04/08/1997", per the signed combined declaration and power of attorney being filed with the enclosed Response to Notice to File Missing Parts.

In addition, the title is incorrect. The title should read "ENZYMES DERIVED FROM THERMOPHILIC ORGANISMS THAT FUNCTION AS A CHROMOSOMAL REPLICASE, PREPARATION AND USE THEREOF". A copy of the specification cover sheet as filed is enclosed herewith.

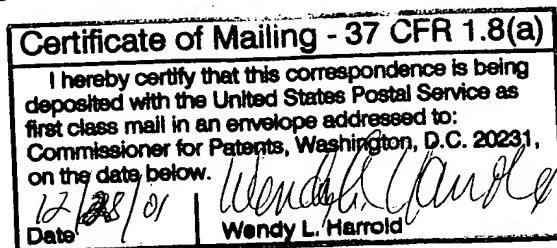
Since Applicants are not responsible for these errors, no fee is enclosed.

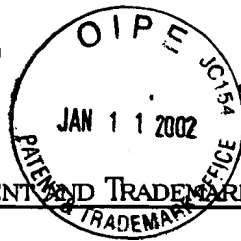
Respectfully submitted,

Dated: December 28, 2001


Edwin V. Merkel
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/716,964	11/21/2000	1633	805	22221/1030 (RU-339)	83	70	3

CONFIRMATION NO. 2211

FILING RECEIPT



OC000000006125554

Michael L. Goldman
NIXON PEABODY LLP
Clinton Square
P.O. Box 31051
Rochester, NY 14603

Date Mailed: 05/29/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael E. O'Donnell, Hastings-on-Hudson, NY;
Alexander Yuzhakov, Belmont, MA;
Olga Yurieva, New York, NY;
David Jeruzalmi, New York, NY;
Irina Bruck, New York, NY;
John Kuriyan, New York, NY;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/057,416 04/08/1998 WHICH CLAIMS BENEFIT
AND WHICH CLAIMS BENEFIT OF 60/143,202 07/08/1999
(* Data inconsistent with PTO records. 04/08/1997 08/23/2001 08/1997)

Foreign Applications

If Required, Foreign Filing License Granted 05/25/2001

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Enzymes derived from thermophilic organisms that function as a chromosomal replicase,

Pr liminary Class

435

preparation and use thereof

Data entry by : ZEWDIE, BROUKTAWIT

Team : OIPE

Date: 05/29/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

#4



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/716,964	11/21/2000	Michael E. O'Donnell	22221/1030 (RU-339)

CONFIRMATION NO. 2211

FORMALITIES LETTER



OC0000000612555

Michael L. Goldman
NIXON PEABODY LLP
Clinton Square
P.O. Box 31051
Rochester, NY 14603

Date Mailed: 05/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/17/2002 BABRAWA1 00000092 09716964

01 FC:205

65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- T Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE